

## REMARKS/ARGUMENTS

Claims 1-65 and 67-86 are now pending in this application. By this amendment, claims 1, 31, 33-34, 37-40, and 50 have been amended. Following entry of this amendment, claims 1-17, 31-42, and 50-65 will be pending in the present application. For the reasons set forth below, the applicants respectfully request reconsideration and immediate allowance of this application.

### Restriction Requirement

The Final Office Action at p. 16 requests a restriction of claims 40-41. MPEP §803(I) notes that the criteria for a proper requirement for restriction between patentably distinct inventions includes the following: (A) the inventions must be independent or distinct as claimed; *and* (B) there would be a serious burden on the examiner if restriction is not required. MPEP §802.02 states that “the examiner, in order to establish reasons for insisting upon restriction, must explain why there would be a serious burden on the examiner if restriction is not required.” The Examiner alleges that “[t]he claims appears (sic) to be functionally not related to other elements used in configuring methods as recited in the scope of Claims 1-17.” Even assuming, *arguendo*, that the Examiner’s allegation is true, the allegation is still not an appropriate explanation for a serious burden as specified in MPEP §802.02, and, as such, is insufficient to establish a serious burden as required by MPEP §803(I).

Further, in the current Office Action, the Examiner rejects claims 40-41 under 35 U.S.C. §103(a) as being unpatentable over RadiSys, “Platform Management – Universal Developer’s Guide” (hereinafter “RadiSys”) in view of “Intel Server System SSH4 Board Set”. Since the Examiner has obviously examined claims 40-41 in order to reject these claims, the applicants respectfully submit that there would not be a serious burden on the Examiner if restriction is not required. Therefore, criteria B of MPEP §803(I) and §802.02 are not met, and thus, the request for restriction is improper.

### Double-Patenting Rejection

Claims 40-41 were rejected on the grounds of nonstatutory obviousness-type double patenting over claims 17 and 18 of U.S. Patent No. 7,237,086. Since the double-patenting rejection becomes moot if claims 40-41 are withdrawn, the applicants request that the double-

patenting rejection be addressed after the arguments presented above with respect to the restriction requirement are addressed.

Claim Rejections Under 35 U.S.C. 101

Claims 31-42 were rejected under 35 U.S.C. 101, as being directed to non-statutory subject matter. Claim 31 has been amended to properly recite a system. As such, the claims depending from claim 31 are also proper. Withdrawal of the claim rejections under 35 USC 101 is respectfully requested.

Claim Rejections Under 35 U.S.C. 102(b) and 35 USC 103(a)

Claims 1-17, 31-39, 42, and 50-66 were rejected under 35 U.S.C. 102(b) as being anticipated by RadiSys, “Platform Management: CP80 Platform Management Overview” (hereinafter “RadiSys1”) and RadiSys, “Platform Management: Universal Developer’s Guide” (hereinafter “RadiSys2”).

Claims 40-41 were rejected under 35 U.S.C. 103(a) as being unpatentable over RadiSys1 and RadiSys2 in view of Intel, “Intel® Server System SSH4 Board Set,” (hereinafter “Intel”).

Claim 1

Amended claim 1 recites, *inter alia*, “detecting a first component of the plurality of components communicatively connected to the management module by querying a plurality of slave addresses, wherein the first component at a first slave address of the plurality of slave addresses is detected upon responding to the query....” In its rejection of claim 1, the Final Office Action cites RadiSys1. In particular, RadiSys1 at p. 8 discloses that “management applications can query sensors in the distributed management system, and report sensor status to upper-level applications.” RadiSys1 does not disclose that a plurality of slave addresses are queried in order to detect a connected component. Instead, Radisys1 discloses that the sensors are queried in order to retrieve the status of the sensor. The fact that RadiSys1 discloses that the management applications can directly query sensors shows that the management applications have already detected of the sensors.

The Final Office Action at p. 8 notes that Radisys1 discloses the operation of a low-level API. However, Radisys1 at p. 8 discloses that the low-level API merely allows management

applications to communicate with the BMC. The API has absolutely no relation to the detection of components communicatively connected to the management module.

Amended claim 1 further recites that the detecting operation as previously described occurs “prior to the management module being configured to monitor a plurality of components communicatively connected to the management module and analyze, based on the monitored plurality of components, whether an event has occurred in the computer system.” Again, Radisys1 discloses that the management applications are capable of querying sensors. That the management applications are capable of querying sensors to retrieve their status necessarily indicates that the management applications are already configured to access and monitor the sensors. As such, the operation of the management applications as described in Radisys1 cannot occur prior to the management module being configured to monitor a plurality of components communicatively connected to the management module.

The Final Office Action does not cite RadiSys2 in the rejection of claim 1, although RadiSys2 is cited in the overall rejection of claims 1-17, 31-39, 42, and 50-66. It is respectfully submitted that RadiSys2 does not cure the deficiencies of claim 1 described above. In particular, Radisys2 at p. 5 discloses a process whereby a list of devices are polled on a regular basis. Thus, Radisys2 clearly discloses that the location of the devices is already known, and that the detection process merely verifies whether its known devices are operational. Radisys2 does not disclose that a plurality of slave addresses are queried in order to detect a connected component, as essentially recited in claim 1.

Accordingly, Radisys1 and Radisys2, alone or in combination, do not teach, suggest, or describe each and every element of independent claim 1. The applicants therefore submit that this claim is in condition for immediate allowance. The applicant further submits that claims 2-17 are also patentable because they contain recitations not taught by Radisys1 or Radisys2 and because these claims depend from allowable independent claim 1. Accordingly, the applicants submit that claims 1-17 are in condition for immediate allowance.

## Claim 2

Claim 2 recites “transmitting a discovery request on each of the plurality of possible slave addresses” and “responsive to the transmitting act, receiving an acknowledgement response from the first component indicating that the first component is communicatively accessible on a

specific active slave address.” In its rejection of claim 2, the Final Office Action cites Radisys2 and particular notes “the communication diagram between System Management Software and devices using communication of IPMB slave addresses.” However, the communication diagram (i.e., Figure 1 of Radisys2) does not disclose the transmission of discovery requests to each of a plurality of possible slave addresses or receiving an acknowledgement response from the first component indicating that the first component is communicatively accessible on a specific active slave address. The communication diagram merely shows the general connection between the system management software, the IPMI interface, and the IPMI subsystem. The specific recitations of claim 2 (e.g., transmission of discovery requests and the receipt of an acknowledgment response) are not disclosed by the communication diagram.

The Final Office Action also cites Table 12 shown in Radisys2 at p. 21. Table 12 merely describes a command for forwarding sensor events “from device to device in order to implement second logs or event annunciation. The fact that sensor events can be forwarded from device to device shows that the sensor events are only transmitted to active slave addresses (i.e., those slave addresses that indicate an accessible component), as opposed to each of a plurality of slave addresses in order to determine the active slave address.

Accordingly, Radisys1 and Radisys2, alone or in combination, do not teach, suggest, or describe each and every element of dependent claim 2. The applicants therefore submit that this claim is in condition for immediate allowance for these reasons and the additional reasons addressed above with respect to claim 1.

#### Claim 4

Claim 4 recites “issuing a discovery request on a possible slave address” and “after a predetermined period in time has passed from which the discovery request was issued on the slave address, repeating the issuing act until each of the plurality of possible slave addresses have been pinged.” In its rejection of claim 4, the Final Office Action cites the Watchdog Timer described in RadiSys2 at p. 13. Radisys2 describes two Watchdog Timer commands. The first command is “Reset Watchdog Timer” and “is used for starting or restarting the watchdog timer from the initial countdown value set with the Set Watchdog Timer command.” The second command is “Set Watchdog Timer” and “is used for initializing and configuring the watchdog timer. The command is also used for stopping the timer.”

Nothing in these descriptions of the commands “Reset Watchdog Timer” or “Set Watchdog Timer” discloses “after a predetermined period in time has passed from which the discovery request was issued on the slave address, repeating the issuing act until each of the plurality of possible slave addresses have been pinged.” Radisys2 merely describes a simple timer function. The application of the Watchdog Timer for “repeating the issuing act until each of the plurality of possible slave addresses have been pinged” is not disclosed in Radisys2.

Accordingly, Radisys1 and Radisys2, alone or in combination, do not teach, suggest, or describe each and every element of dependent claim 4. The applicants therefore submit that this claim is in condition for immediate allowance for these reasons and the additional reasons addressed above with respect to claim 1.

#### Claim 9

Claim 9 recites “defining a plurality of description files, each description file corresponding to a component which may be included within a configuration for the computer system, wherein the plurality of description files each specify a component classification for the component corresponding to each description file and the type of information that may be provided by the component.” In its rejection of claim 9, the Final Office Action cites Radisys2 as describing “[t]he standard software created by the Developer’s guide using the configuration commands with respect to a device in the IPMO subsystem.” However, this recitation of Radisys2 does not disclose the claimed “description files” nor does it disclose that “the plurality of description files each specify a component classification for the component corresponding to each description file and the type of information that may be provided by the component.”

In particular, while Radisys2 at p. 13 describes a “Get Device ID” command which returns a “Radisys-specific device identifier,” Radisys2 does not disclose that the Radisys-specific device identifier is compared against description files to identify the device. Because Radisys2 does not disclose description files, it follows that Radisys2 also does not disclose “wherein each of the components detected and identified corresponds to one of the plurality of description files” as recited in claim 31.

Accordingly, Radisys1 and Radisys2, alone or in combination, do not teach, suggest, or describe each and every element of dependent claim 9. The applicants therefore submit that this

claim is in condition for immediate allowance for these reasons and the additional reasons addressed above with respect to claim 1.

Claim 31

Amended claim 31 recites, *inter alia*, “discover previously undiscovered components that are communicatively accessible to the management module by way of a communication medium of the computer system....” Support for this amendment can be found at least in the instant application at. p. 17, line 26 to p. 18, line 14 (e.g., “discovery session” and “discovery requests”). The cited portion of the instant application also describes two examples of discovering components that are previously undiscovered. In one example, each accessible slave address is sequentially pinged. In another example, all accessible slave addresses are flooded with discovery requests.

As previously described, RadiSys1 at p. 8 discloses that “management applications can query sensors in the distributed management system, and report sensor status to upper-level applications.” RadiSys1 does not disclose discovering previously undiscovered components that are communicatively accessible to the management module. Instead, Radisys1 discloses that the sensors are queried in order to retrieve the status of the sensor. The fact that RadiSys1 discloses that the management applications can directly query sensors shows that the management applications have already been discovered and cannot be “previously undiscovered,” as recited in claim 31.

Amended claim 31 further recites “identify the discovered components by comparing the detected components with a plurality of description files each describing a component which may be communicatively connected to the management module, wherein each of the components detected and identified corresponds to one of the plurality of description files.” With regards to claim 9, which also recites description files, the Final Office Action cites Radisys2 as describing “[t]he standard software created by the Developer’s guide using the configuration commands with respect to a device in the IPMO subsystem.” However, this recitation of Radisys2 does not disclose the claimed “description files” nor does it disclose that the detected components are identified by comparing the detected components with the description files.

In particular, while Radisys2 at p. 13 describes a “Get Device ID” command which returns a “Radisys-specific device identifier,” Radisys2 does not disclose that the Radisys-

specific device identifier is compared against description files to identify the device. Because Radisys2 does not disclose description files, it follows that Radisys2 also does not disclose “wherein each of the components detected and identified corresponds to one of the plurality of description files” as recited in claim 31.

Accordingly, Radisys1 and Radisys2, alone or in combination, do not teach, suggest, or describe each and every element of independent claim 31. The applicants therefore submit that this claim is in condition for immediate allowance. The applicant further submits that claims 32-42 are also patentable because they contain recitations not taught by Radisys1 or Radisys2 and because these claims depend from allowable independent claim 31. Accordingly, the applicants submit that claims 31-42 are in condition for immediate allowance.

Amended Claim 50

Amended claim 50 recites, *inter alia*, “discovering a previously undiscovered first component of the plurality of components communicatively connected to the management module by querying a plurality of slave addresses, wherein the first component at a first slave address of the plurality of slave addresses is discovered upon responding to the query,” As previously described, RadiSys1 at p. 8 discloses that “management applications can query sensors in the distributed management system, and report sensor status to upper-level applications.” RadiSys1 does not disclose that a plurality of slave addresses are queried in order to discover a connected component. Instead, Radisys1 discloses that the sensors are queried in order to retrieve the status of the sensor. The fact that RadiSys1 discloses that the management applications can directly query sensors shows that the management applications have already discovered of the sensors and cannot be “previously undiscovered,” as recited in claim 50.

Accordingly, Radisys1 and Radisys2, alone or in combination, do not teach, suggest, or describe each and every element of independent claim 50. The applicants therefore submit that this claim is in condition for immediate allowance. The applicant further submits that claims 51-65 are also patentable because they contain recitations not taught by Radisys1 or Radisys2 and because these claims depend from allowable independent claim 50. Accordingly, the applicants submit that claims 50-65 are in condition for immediate allowance.

Claim 51

The deficiencies of the rejection of claim 51 are addressed, at least in part, in the discussion above with respect to claim 2.

Claim 53

The deficiencies of the rejection of claim 53 are addressed, at least in part, in the discussion above with respect to claim 4.

Claim 58

The deficiencies of the rejection of claim 58 are addressed, at least in part, in the discussion above with respect to claim 9.

Conclusion

In view of the foregoing amendment and remarks, the applicants respectfully submit that all of the pending claims in the present application are in condition for allowance. Reconsideration and reexamination of the application and allowance of the claims at an early date is solicited. If the Examiner has any questions or comments concerning this matter, the Examiner is invited to contact the applicants' undersigned attorney at the number below.

Respectfully submitted,

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